

REMARKS

The Applicants thank the Examiner for the thorough consideration given the present application. Claims 2, 6-8, 10, 12, 14 and 16 are cancelled without prejudice to or disclaimer of the subject matter therein. Claims 1-3-5, 9, 11, 13, 15, and 17-20 are pending. Claims 1, 3, 4, 11, 13, 15, and 17 are amended, and claims 18-20 are added. Claims 1, 13, and 18 are independent. The Examiner is respectfully requested to reconsider the rejections in view of the amendments and remarks set forth herein.

Allowable Subject Matter

The Examiner states that claims 6-12, 16, and 17 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The Applicants appreciate the Examiner's early indication of allowable subject matter. As indicated above,

independent claim 1 is amended herein incorporate the allowable subject matter of objected-to claim 6 and intervening claim 2;

independent claim 13 is amended herein incorporate the allowable subject matter of objected-to claim 16 and intervening claim 14; and

independent claim 18 is added to set forth a novel combination of elements not taught or suggested by the references cited by the Examiner.

Therefore, independent claims 1, 13, and 18 are in condition for allowance.

Drawings

The Examiner has not indicated whether or not the drawings have been accepted.

Claim for Priority

It is gratefully appreciated that the Examiner has recognized the Applicants' claim for foreign priority.

Acknowledgement of Information Disclosure Statement

It is gratefully appreciated that the Examiner has acknowledged the Information Disclosure Statements filed on November 25, 2003 and January 28, 2004.

Rejection Under 35 U.S.C. §102(e)

Claims 5-6 and 9-12 stand rejected under 35 U.S.C. §102(e) as being anticipated by Yasui et al. (U.S. 2001/0020560). These rejections are respectfully traversed.

Amendments to Independent Claims 1 and 13

As mentioned above, and while not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the instant application,

independent claim 1 is amended herein incorporate the allowable subject matter of objected-to claim 6 and intervening claim 2;

independent claim 13 is amended herein incorporate the allowable subject matter of objected-to claim 16 and intervening claim 14.

Therefore, independent claims 1 and 13 are in condition for allowance. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

Added Independent Claim 18

Independent claim 18 has been added to recite a combination of elements directed to lubricating systems for an engine, including *inter alia*

an oil passage extending upwardly from the opposite end of the sub-gallery to the cylinder head for leading oil to a cylinder head side of the lubricating system.

The Applicants respectfully submit that the combination of elements as set forth in independent claim 18 is not disclosed or made obvious by the prior art of record, including Yasui et al.

Support for the novel combination of elements set forth in independent claim 18 can be found in the specification, for example, in paragraph [0056]. See also FIG. 8.

In contrast to the present invention, as can be seen in Yasui et al. FIG. 2, this document merely discloses oil supply passages 63 and 64 extending from the main gallery 62.

At least for the reasons described above, the Applicants respectfully submit that the combination of elements as set forth in independent claim 18 is not disclosed or made obvious by the prior art of record, including Yasui et al.

Therefore, independent claim 18 is in condition for allowance. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

Dependent Claims

The Examiner will note that dependent claims 3, 6-8, 10, 12, 14, and 16 have been cancelled, dependent claims 3, 4, 11, 15, and 17 have been cancelled, and dependent claims 19 and 20 have been added. All dependent claims are in condition for allowance due to their dependency from allowable independent claims, or due to the additional novel limitations set forth therein.

Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. §102(e) are respectfully requested.

CONCLUSION

Since the remaining patents cited by the Examiner have not been utilized to reject claims, but merely to show the state of the art, no comment need be made with respect thereto.

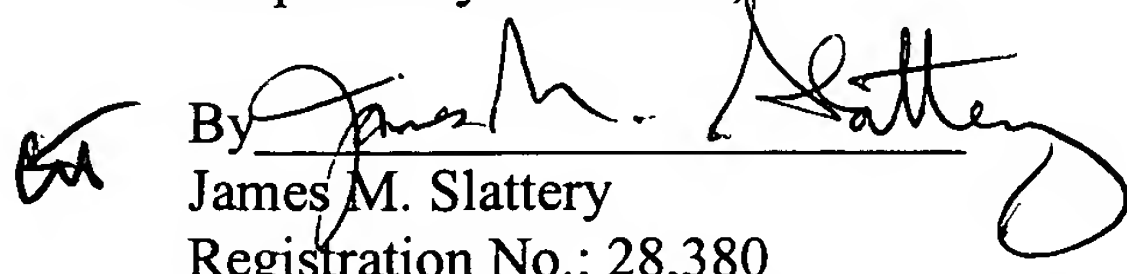
All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. It is believed that a full and complete response has been made to the outstanding Office Action, and that the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone Carl T. Thomsen (Reg. No. 50,786) at (703) 205-8000.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly extension of time fees.

Dated: October 3, 2006

Respectfully submitted,


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